

**IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF MISSISSIPPI  
GREENVILLE DIVISION**

**KWAITEL JACKSON**

**PLAINTIFF**

**VS.**

**CIVIL ACTION NO.: 4:18-cv-00181-SA-JMV**

**CITY OF LELAND, LELAND POLICE  
DEPARTMENT, MAYOR KENNY THOMAS,  
Individually and in his Official Capacity,  
CHIEF BILLY BARBER, Individually and in  
His Official Capacity, OFFICER COREY  
WEATHERSPOON, Individually and in  
His Official Capacity, and DEFENDANTS  
ROBERT L. COMBS, in His Individual and  
Official Capacity and KAYLAN M. JAMES,  
in His Individual and Official Capacity**

**DEFENDANTS**

**RESPONSE TO MOTION TO DISMISS**

COMES NOW, Plaintiff, Kwaitel Jackson, by and through counsel, and files this his response to Defendants' motion to dismiss [Doc.#34] and in support hereof would show the following, to-wit:

1. That Plaintiff has no objection to Court granting the relief requested by Defendants in said motion. [Doc.#34].
2. Plaintiff objection to Defendants reservation of rights pertaining to the issued of qualified immunity and requests that Defendants be required to file a motion asserting qualified immunity within a reasonable time set by this Court.

RESPECTFULLY SUBMITTED, this the 17<sup>th</sup> day of June, 2019.

/s/ ASHLEY N. HARRIS

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/s/ WILLIE GRIFFIN

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ATTORNEYS FOR PLAINTIFF

**CERTIFICATE OF SERVICE**

I, Willie Griffin, attorney for Plaintiff, do hereby certify that I have this day, filed electronic the foregoing with the Clerk of Court by using the EFC system, which sent notification of such filing to the following:

Daniel J. Griffith, Esq.  
Mary McKay Griffith, Esq.  
Jacks Griffith Luciano, P. A.  
P.O. Box 1209  
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Wilton V. Byars, III  
Tiffany N. Carey  
Daneil Coker Horton & Bell, P. A.  
P.O. Box 1396  
Oxford, MS 38655-1396

**CERTIFIED**, this the 17<sup>th</sup> day of June, 2019.

/s/ WILLIE GRIFFIN  
WILLIE GRIFFIN